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DIRECTOR'S OFFICE
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In re application of
Perry Wayne Ancell
Application No. 10/785,582
Filed: February 24, 2004
For: UTILITY POLE INSTALLATION SYSTEM
AND METHOD

: **DECISION ON PETITION**
: **TO MAKE SPECIAL**
: **(ENVIRONMENTAL QUALITY)**
:

This is a decision on the petition filed February 24, 2004, under 37 CFR 1.102 (c) to make the above-identified application special under the procedure set forth in MPEP 708.02, Section V: Environmental Quality.

A grantable petition to make an application special under 37 C. F. R. 1.102(c), MPEP 708.02, Section V for an invention which materially enhances the quality of the environment of mankind by contributing to the restoration or maintenance of the basic life-sustaining elements-air, water and soil, must be accompanied by affidavits or declaration under 37 CFR 1.102 by the applicant or his attorney explaining how the invention contributes to the maintenance or restoration of one of these life sustaining elements.

Applicant's petition includes a declaration by his attorney which states, in pertinent part, that "the present invention eliminates the soil contamination associated with Creosote treated wood poles and replaces this soil contamination with an environmentally friendly FIBERGLASS® pole that has a long lifespan." And, that applicant's invention "will eliminate the toxic chemical contamination of soil surrounding utility pole installation."

For the above stated reasons, the petition is **GRANTED**.

The examiner is directed (1) to make an interference search for possible interfering applications; (2) to promptly examine this application out of turn; and (3) if any interfering application is discovered, to examine such application simultaneously and state in the first official letter of such application that it is being taken out of turn because of a possible interference.

Petitioner is advised that this application will continue to be special, throughout its entire prosecution and pendency, including interference and appeal, if any, only if petitioner makes a prompt *bona fide* effort, in response to each Office action, to place the application in condition for allowance, even if it is necessary to conduct an interview with the examiner to accomplish this purpose.



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SNM/rwg: 10/26/04